

INITIATIVE 644

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copies of Initiative Measure No. 644 and Initiative Measure No. 645 are true and correct copies as they were received by this office.

Reviser's note: Multiple initiatives were certified by this certificate. Each is filed as a separate document.

1 AN ACT Relating to adoption and foster care placement of minor
2 children; adding new sections to chapter 26.33 RCW; and creating new
3 sections.

4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** This measure shall be known and cited as the
6 responsible adoptions act.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 26.33 RCW
8 to read as follows:

9 The people find that there is a compelling state interest in the
10 adoption and foster care of minor children, however, the people find
11 that the state's interest in adoptive and foster care placement of
12 minor children is limited to consideration of the well-being of minor
13 children in need of adoption or foster care and does not extend to
14 providing for the needs, whether real or perceived, of adults to become
15 adoptive or foster care parents. Therefore, the people find that in
16 adoptive and foster care placement of minor children all consideration
17 must be given to the well-being of the child, and that sound, natural
18 family relationships are the most important initial consideration of

1 that well-being. The people further find that there is a compelling
2 state interest in the adoptive and foster care placement of minor
3 children, if at all possible, in sound, married, male-female
4 households. Therefore, the people establish that:

5 Neither the state of Washington nor any political subdivision nor
6 any agency of the state shall, for purposes of adoptive or foster care,
7 place any child into the custody of a person who practices
8 homosexuality, or who is participating in a same-gender marriage or
9 domestic partnership. Placement of minor children made prior to the
10 effective date of this act is not affected by this section.

11 (1) Nothing in this section shall be construed to permit the state
12 or any agency of the state to take or remove any child from the custody
13 of the child's natural parent; and

14 (2) Nothing in this section shall be construed to permit the state
15 or any agency of the state to initiate inquiries into or undertake
16 investigations of parents, or to otherwise violate the privacy of
17 families, except as otherwise provided by law to monitor the continued
18 well-being of children placed by the state for purposes of adoptive or
19 foster care.

20 NEW SECTION. Sec. 3. A new section is added to chapter 26.33 RCW
21 to read as follows:

22 For purposes of section 2 of this act:

23 (1) "Person who practices homosexuality" means any person who
24 engages in sexual activity with individuals of the same gender or has
25 a sexual desire for a person of the same gender, as determined by the
26 individual's willingness to be openly self-identified with those
27 desires.

28 (2) "Gender" means the natural gender that was known at or before
29 birth.

30 (3) "Domestic partnership" means any cohabitive arrangement between
31 two persons who have not committed themselves to each other through
32 marriage.

33 NEW SECTION. Sec. 4. The people intend that this act be liberally
34 construed to provide the greatest possible assurance that all adoptive
35 and foster care placements of minor children are made in the best
36 interest of the child with the well-being of the child being of primary
37 concern.

1 NEW SECTION. **Sec. 5.** This act shall in all parts be self-
2 executing. A person residing in the state of Washington or a nonprofit
3 entity doing business in this state has standing to enforce the
4 provisions of this act.

5 NEW SECTION. **Sec. 6.** The people intend that, if any part of this
6 act is declared unconstitutional by a court of competent jurisdiction,
7 the remaining parts survive in full force and effect; and, if the
8 application of this act to any particular person or circumstance is
9 ruled unconstitutional by a court of competent jurisdiction, its
10 application to other persons and other circumstance shall not be
11 affected.

12 NEW SECTION. **Sec. 7.** In the event that a conflict arises between
13 this act and any other provision of law, the policies and purposes of
14 this act shall govern.

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